

preceding the weighing of the vehicle loaded he shall have first weighed the vehicle empty to determine the true tare weight of the vehicle unloaded and unless all the wheels of the vehicle, tractor, trailer, or semi-trailer included, transporting the solid fuel are on the scale at one and the same time, provided, however, that if the tractor is disconnected from the trailer or semi-trailer at the time of weighing the trailer or semi-trailer may be weighed without the tractor. No licensed weighmaster shall weigh up and sign a delivery ticket for any load of anthracite transported or being transported into the State of Maryland by motor vehicle unless and until a duplicate original of the certificate of origin of such anthracite shall be filed with the weighmaster as in this sub-title hereinafter provided, and such weighmaster upon signing such delivery ticket for any such load of anthracite shall make a notation upon the delivery ticket of the serial number and date of the certificate of origin covering said anthracite; provided, however, that for the purpose of permitting licensed dealers in solid fuel in the District of Columbia to comply with the provisions of this sub-title, the Bureau of Mines is authorized to issue weighmaster licenses to persons employed in the District of Columbia by a dealer in coal who has obtained a license to do business in the State of Maryland, and such persons may weigh up and sign a delivery ticket for any load of solid fuel if such load has been weighed by him on scales located within the District of Columbia which have been tested, approved and sealed by the Sealer of Weights and Measures of the District of Columbia. Application for a weighmaster license pursuant hereto shall be made in the manner hereinbefore provided and such license shall be subject to all of the provisions of this Article and may be revoked as in said Article provided.

This section is intended to apply solely in favor of solid fuel dealers in the District of Columbia and shall under no circumstances be held to enlarge the privileges of solid fuel dealers doing business elsewhere than in the District of Columbia or of persons employed by them and if this section or any part thereof is held to create an unlawful discrimination against such solid fuel dealers or the persons employed by them, then and in that event, this section shall be deemed to be of no effect whatever and this sub-title shall be deemed to remain in full force and effect as if this section had never been passed.

The provisions of this section requiring vehicle to have been weighed empty before issuance of delivery ticket, to the extent applicable to interstate transportation, is unreasonable and unnecessary, and, therefore, unlawful restraint upon interstate commerce. *Yarger v. State*, 175 Md. 232.

1937, ch. 349, sec. 46FF.

62. No anthracite coal brought into the State of Maryland by motor vehicle shall be hauled, transported, purchased, sold or delivered in the State unless such anthracite is at all times accompanied by an original certificate of origin containing the following information:

(1) The name or names and location of, and the name or names of the owners or operators of, the breaker, colliery or other place or places of production where the anthracite to which the certificate refers, has been produced.

(2) The kind, size and weight of the anthracite.

(3) The name and address of person claiming ownership of said anthracite.